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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GMYL, L.P., a California limited partnership;

Plaintiff,

vs.

ERNESTO COPPOLA, an individual; COPPOLA
FOODS LIMITED, a foreign company; and
DOES 1 THROUGH 10

Defendants.

CASE NO. 13-cv-04739-RS

ORDER

**STIPULATION REGARDING
DEFENDANTS' DEPOSITION
TRANSCRIPT REVIEW AND BRIEFING
SCHEDULE FOR DEFENDANTS'
MOTION TO DISMISS**

1 IT IS HEREBY STIPULATED by and between Plaintiff GMYL, L.P. (“Plaintiff”) and
2 Defendants Ernesto Coppola and Coppola Foods Limited (collectively, “Defendants”), by and
3 through their counsel of record, as follows:

4 WHEREAS, on October 11, 2013, Plaintiff filed its Complaint against Defendants;

5 WHEREAS, on February 5, 2014, Defendants filed a Motion to Dismiss Claims, whereby
6 Coppola Foods Limited seeks, *inter alia*, dismissal of the claims against it for lack of personal
7 jurisdiction;

8 WHEREAS, on February 20, 2014, pursuant to the Case Management Conference, the Court
9 ordered (1) that Plaintiff may take limited discovery regarding personal jurisdiction and may take that
10 discovery until April 22, 2014 (the “Jurisdictional Discovery Period”), and (2) that upon the close of
11 the Jurisdictional Discovery Period, Defendants may re-notice their motion to dismiss;

12 WHEREAS, on March 24, 2014, the Court ordered that Plaintiff may take the depositions of
13 both Defendants and of Maria Suleymanova in connection with jurisdictional discovery;

14 WHEREAS, on April 3, 2014, the Parties stipulated to extend the Jurisdictional Discovery
15 Period to May 27, 2014 in order to accommodate the parties’ respective schedules in a manner that
16 would allow non-resident Defendants to travel to the United States for depositions and for a
17 settlement conference, and the Court ordered that the Jurisdictional Discovery Period be so extended;

18 WHEREAS, the Parties have agreed that the depositions of Defendants and Ms. Suleymanova
19 will take place from May 21, 2014 through May 23, 2014;

20 WHEREAS, Defendant Coppola Foods Limited intends to renew its motion to dismiss for
21 lack of personal jurisdiction shortly after the Jurisdictional Discovery Period closes and Plaintiffs
22 anticipate using testimony from the depositions of Defendants and Ms. Suleymanova (the
23 “Jurisdictional Depositions”) in opposition to such motion;

24 WHEREAS, the parties have agreed to a process to accommodate Defendants’ interest in re-
25 noticing their motions to dismiss shortly after the Jurisdictional Discovery Period closes, Defendants’
26 and Ms. Suleymanova’s interest in reviewing their deposition transcripts, and Plaintiff’s interest in
27 being able to use testimony from the transcripts of the Jurisdictional Depositions in opposition to
28 Coppola Foods Limited’s motion to dismiss for lack of jurisdiction;

1 NOW, THEREFORE, it is hereby stipulated and agreed by and between the Parties as
2 follows:

3 1. Defendants will re-notice their motion to dismiss, if at all, no earlier than the date on
4 which they receive the last of the transcripts for the Jurisdictional Depositions;

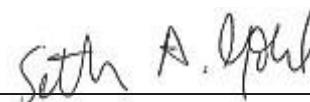
5 2. Defendants and party-affiliated witness Ms. Suleymanova will each review its, his, or
6 her transcript for the Jurisdictional Deposition and make any necessary changes thereto, or notify all
7 parties that no changes to the Deposition Transcripts are necessary, within seven (7) days of its, his,
8 or her respective receipt of such transcript (the "Review Period");

9 3. Upon the expiration of the Review Period, and in the absence of any changes to the
10 transcripts for the Jurisdictional Depositions or notification that no changes are necessary, it will be
11 deemed that no changes to the transcripts for the Jurisdictional Depositions will be made;

12 4. Once Defendants re-notice their motion to dismiss in accordance with this Stipulation,
13 all dates related to the motion to dismiss shall be in accordance with the Federal Rules of Civil
14 Procedure, the Civil Local Rules, and the Standing Orders of this Court; and

15 5. Nothing in this stipulation shall prevent the parties from modifying their agreement
16 regarding the actual handling of the transcripts for each of the Jurisdictional Depositions.

17 DATED: May 20, 2014



Seth A. Gold
K&L GATES LLP
Attorneys for Plaintiff

21 DATED: May 20, 2014



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Walter C. Pfeffer
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Attorneys for Defendants and deponent Maria
Suleymanova

PURSUANT TO STIPULATION, IT IS ORDERED.

DATED: 5/21/14


RICHARD SEEBOORG
United States District Judge